



House of Representatives

General Assembly

File No. 248

February Session, 2014

Substitute House Bill No. 5360

House of Representatives, April 1, 2014

The Committee on Government Administration and Elections reported through REP. JUTILA of the 37th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING CERTIFICATION OF CANDIDATES.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 9-391 of the 2014 supplement to the general
2 statutes is repealed and the following is substituted in lieu thereof
3 (*Effective from passage*):

4 (a) Each endorsement of a candidate to run in a primary for the
5 nomination of candidates for municipal office to be voted upon at a
6 municipal election, or for the election of town committee members
7 shall be made under the provisions of section 9-390 not earlier than the
8 fifty-sixth day or later than the forty-ninth day preceding the day of
9 such primary. In the case of an endorsement of a candidate for a
10 municipal office of state senator or state representative, such
11 endorsement may be made of a candidate whose name appears upon
12 the last-completed enrollment list of such party within the
13 municipality or political subdivision within which such candidate is to
14 run for nomination. [The] An endorsement of a candidate described in

15 this subsection shall be certified to the clerk of the municipality by
16 either (1) the chairman or presiding officer, or (2) the secretary of the
17 town committee, caucus or convention, as the case may be, not later
18 than four o'clock p.m. on the forty-eighth day preceding the day of
19 such primary. Such certification shall be signed by such candidate and
20 contain the name and street address of each person so endorsed, the
21 title of the office or the position as committee member and the name or
22 number of the political subdivision or district, if any, for which each
23 such person is endorsed. If such a certificate of a party's endorsement
24 is not received by the town clerk by such time, such certificate shall be
25 invalid and such party, for purposes of sections 9-417, 9-418 and 9-419,
26 shall be deemed to have neither made nor certified such endorsement
27 of any candidate for such office.

28 (b) Each selection of delegates to a state or district convention shall
29 be made in accordance with the provisions of section 9-390 not earlier
30 than the one-hundred-fortieth day and not later than the one-hundred-
31 thirty-third day preceding the day of the primary for such state or
32 district office. Such selection shall be certified to the clerk of the
33 municipality by the chairman or presiding officer and the secretary of
34 the town committee or caucus, as the case may be, not later than four
35 o'clock p.m. on the one-hundred-thirty-second day preceding the day
36 of such primary. Each such certification shall be signed by each person
37 so selected and contain the name and street address of each such
38 person, [so selected,] the position as delegate, and the name or number
39 of the political subdivision or district, if any, for which each such
40 person is selected. If such a certificate of a party's selection is not
41 received by the town clerk by such time, such certificate shall be
42 invalid and such party, for purposes of sections 9-417 and 9-420, shall
43 be deemed to have neither made nor certified any selection of any
44 person for the position of delegate.

45 (c) Each endorsement of a candidate to run in a primary for the
46 nomination of candidates for a municipal office to be voted upon at a
47 state election shall be made under the provisions of section 9-390 not
48 earlier than the eighty-fourth day or later than the seventy-seventh day

49 preceding the day of such primary. Any certification to be filed under
50 this subsection shall be received by the Secretary of the State, in the
51 case of a candidate for the office of state senator or state representative,
52 or the town clerk, in the case of a candidate for any other municipal
53 office to be voted upon at a state election, not later than four o'clock
54 p.m. on the fourteenth day after the close of the town committee
55 meeting, caucus or convention, as the case may be. If such a certificate
56 of a party's endorsement is not received by the Secretary of the State or
57 the town clerk, as the case may be, by such time, such certificate shall
58 be invalid and such party, for the purposes of sections 9-417 and 9-418,
59 shall be deemed to have neither made nor certified any endorsement of
60 any candidate for such office. The candidate so endorsed for a
61 municipal office to be voted upon at a state election, other than the
62 office of justice of the peace, shall file with the Secretary of the State or
63 the town clerk, as the case may be, a certificate, signed by that
64 candidate, stating that such candidate was so endorsed, the candidate's
65 name as the candidate authorizes it to appear on the ballot, the
66 candidate's full street address and the title and district of the office for
67 which the candidate was endorsed. Such certificate may be filed by a
68 candidate whose name appears upon the last-completed enrollment
69 list of such party within the senatorial district within which the
70 candidate is endorsed to run for nomination in the case of the
71 municipal office of state senator, or the assembly district within which
72 a person is endorsed to run for nomination in the case of the municipal
73 office of state representative, or the municipality or political
74 subdivision within which a person is to run for nomination for other
75 municipal offices to be voted on at a state election. Such certificate
76 shall be attested by the chairman or presiding officer and the secretary
77 of the town committee, caucus or convention which made such
78 endorsement. The endorsement of candidates for the office of justice of
79 the peace shall be certified to the clerk of the municipality by the
80 chairman or presiding officer and the secretary of the town committee,
81 caucus or convention, and shall contain the name and street address of
82 each person so endorsed and the title of the office for which each such
83 person is endorsed.

84 (d) Any person certifying an endorsement pursuant to this section
85 may make such certification on a form made available pursuant to
86 section 3 of this act.

87 Sec. 2. Section 9-452 of the general statutes is repealed and the
88 following is substituted in lieu thereof (*Effective from passage*):

89 All minor parties nominating candidates for any elective office shall
90 make such nominations and certify and file a list of such nominations,
91 as required by this section, which may be on a form made available
92 pursuant to section 3 of this act, not later than the sixty-second day
93 prior to the day of the election at which such candidates are to be
94 voted for. A list of nominees in printed or typewritten form that
95 includes each candidate's name as authorized by each candidate to
96 appear on the ballot, the signature of each candidate, the full street
97 address of each candidate and the title and district of the office for
98 which each candidate is nominated shall be certified by the presiding
99 officer of the committee, meeting or other authority making such
100 nomination and shall be filed by such presiding officer with the
101 Secretary of the State, in the case of state or district office or the
102 municipal office of state representative, state senator or judge of
103 probate, or with the clerk of the municipality, in the case of municipal
104 office, not later than the sixty-second day prior to the day of the
105 election. The registrars of voters of such municipality shall promptly
106 verify and correct the names on any such list filed with [him] the
107 registrar, or the names of nominees forwarded to the clerk of the
108 municipality by the Secretary of the State, in accordance with the
109 registry list of such municipality and endorse the same as having been
110 so verified and corrected. For purposes of this section, a list of
111 nominations shall be deemed to be filed when it is received by the
112 Secretary or clerk, as appropriate. If the Secretary of the State or the
113 town clerk, as appropriate, does not receive a party's certificate of the
114 party's nomination on or before the sixty-second day prior to the
115 election at which any such nominee is a candidate, such certificate
116 shall be invalid for the party and such party, for purposes of sections 9-
117 460, 9-461 and 9-462 shall be deemed to have neither made nor

118 certified any nomination of any candidate for such office.

119 Sec. 3. (NEW) (*Effective from passage*) (a) The Secretary of the State
 120 shall prescribe and furnish a form to the town clerks for the purpose of
 121 certification of candidates pursuant to the provisions of sections 9-391
 122 and 9-452 of the general statutes, as amended by this act. The Secretary
 123 shall include on such form prompts for information required pursuant
 124 to said sections, including, but not limited to, a request and spaces for
 125 (1) the signature and the printed or typed name of each person
 126 nominated by the party, (2) the full street address of each such person,
 127 and (3) any other information required as part of a party's certification
 128 of the party's nomination pursuant to the provisions of section 9-391 or
 129 9-452 of the general statutes, as amended by this act. The Secretary
 130 shall make such form available through the Secretary's Internet web
 131 site at the same time such form is furnished to the town clerks.

132 (b) On and after the date upon which a form is made available
 133 pursuant to subsection (a) of this section, any person certifying an
 134 endorsement pursuant to the provisions of section 9-391 or 9-452 of the
 135 general statutes, as amended by this act, may use such form.

136 (c) Notwithstanding the provisions of section 9-391 or 9-452 of the
 137 general statutes, as amended by this act, no certification of
 138 endorsement shall be rejected by a town clerk or the Secretary, as
 139 applicable, for a lack of a signature by a person endorsed in a
 140 certification pursuant to the provisions of section 9-391 or 9-452 of the
 141 general statutes, as amended by this act, if the Secretary has not made
 142 available a form pursuant to subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	9-391
Sec. 2	<i>from passage</i>	9-452
Sec. 3	<i>from passage</i>	New section

GAE *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note**State Impact:**

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Secretary of the State	GF - Potential Cost	Less than 1,000	None

Municipal Impact: None**Explanation**

The bill modifies the candidate certification process and requirements for certain elections. The Secretary of the State may potentially incur costs, anticipated to be less than \$1,000 in FY 15, associated with developing and furnishing the certification form.

OLR Bill Analysis**sHB 5360*****AN ACT CONCERNING CERTIFICATION OF CANDIDATES.*****SUMMARY:**

This bill requires major parties to include the signatures of (1) candidates they endorse to run in a primary for municipal office (including legislative candidates running in single district towns) in the list of nominations they certify to the town clerk and (2) delegates to state or district conventions in the certifications they file with town clerks.

Current law, PA 11-173, established the signature requirement for certificates of minor party nominations of municipal, legislative, and statewide office candidates. The bill deems invalid any such certificate that the secretary of the state or town clerk, as appropriate, does not receive by the 62nd day before the election at which the nominee is a candidate. If invalidated, the party is deemed to have not nominated or certified any candidate for the office in the same way that major parties are deemed to have not nominated or certified a candidate for municipal office if the certificate is not received by the town clerk by 4:00 p.m. on the 48th day preceding the primary.

The bill requires the secretary of the state to prescribe, and furnish to town clerks, a standard form for major and minor parties to use to certify municipal and minor party candidates, respectively. The secretary must make the form available on her website. The bill allows, but does not require, major or minor parties to use the form. It prohibits town clerks or the secretary from rejecting an endorsement for lack of a signature before the form is available.

EFFECTIVE DATE: Upon passage

CERTIFICATION FORM

The form must include prompts for information required by law and under the bill, including a request and spaces for:

1. the signed and printed or typed name of each party nominee,
2. the full address of each such person, and
3. any other information required in the certification process.

COMMITTEE ACTION

Government Administration and Elections Committee

Joint Favorable Substitute

Yea 14 Nay 0 (03/14/2014)